



Albemarle Corporation
2858 Back Vail Road
Tyrone, PA 16686-8100

Telephone: 814-684-4310
Facsimile: 814-684-7532

November 6, 2014

Mr. Kenneth Cox
Land and Chemical Divisions (3LC70)
U.S. Environmental Protection Agency – Region III
1650 Arch Street
Philadelphia, PA 19103

RE: Notice of Violation Response
Albemarle Corporation
2858 Back Vail Road
Tyrone PA, 16686-8100
EPA ID No. PA030069140

Docket Number R3-14-NOV-RCRA-24

Dear Mr. Cox:

On October 23, 2014 Albemarle Corporation (Albemarle) received a Notice of Violation (NOV) [*"Docket Number R3-14-NOV-RCRA-24"* dated October 21, 2014] from the United States Environmental Protection Agency, Region III (USEPA) for findings identified during a Compliance Evaluation Inspection (CEI) performed on August 14, 2014 at the above-referenced facility. The purpose of this correspondence is to satisfy the requirement that Albemarle respond in 20 calendar days on documenting the measures the Albemarle has taken to address the following alleged violations:

Violation Number 1. *"The container storing mercury waste outside the laboratory building did not meet the satellite accumulation requirements in 25 PA 262a [40 CFR 262.34(c)] which requires the container be located at or near the point of generation and under the control of the operator."*

Violation Number 2. *"At the time of the inspection the drums of hazardous waste in the storage shed were pinned in a corner by two pallets of solid waste. This configuration, made it impossible to view the dates on the labels as required by 25 PA 262a [40 CFR 262.24(a) (2)]."*

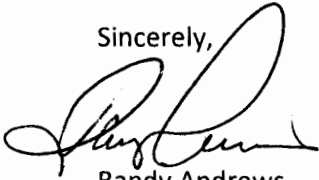
Violation Number 3. *"The diaphragm pump used to load tank trucks with hazardous waste was not included in the facility's air emission monitoring program. Standards for monitoring pumps in light liquid service are found in 25 PA 265a [40 CFR 265.1052]."*

As indicated in the USEPA's correspondence alleged Violation Number 2 was corrected during the site inspection and alleged Violation Number 3 was documented to be corrected by email from Mr. Joe Stanek on August 28, 2014. As such, this correspondence only addresses alleged Violation Number 1.

To achieve compliance with alleged Violation No. 1 [40 CFR 262.34(c)] the container storing mercury waste was relocated to inside the laboratory where it is at or near the point of generation and under control of the operator. This container relocation was completed on September 19, 2014. Photographic documentation of the container is included in **Attachment A**.

If you have any additional questions or concerns please contact me at 814 684-7219 or Joe Stanek at (814) 684-7240.

Sincerely,

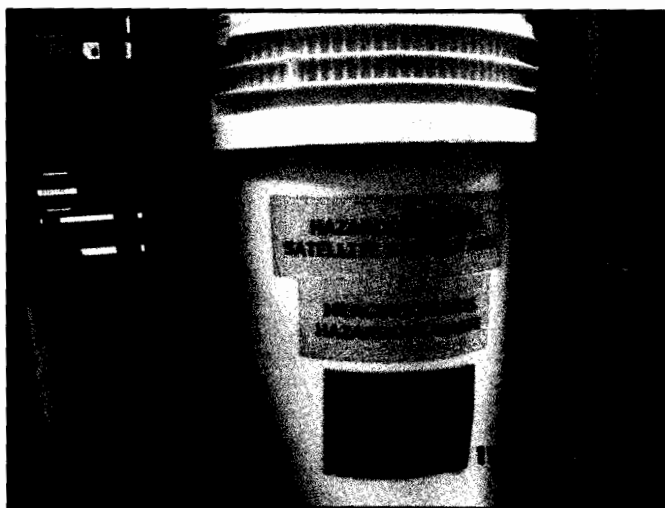
A handwritten signature in black ink, appearing to read "Randy Andrews", written over the word "Sincerely,".

Randy Andrews
Plant Manager

Cc: Marty Stern, Pennsylvania Department of Environmental Protection – Southcentral Region

Attachment A

Photographic Documentation





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1350 Arch Street
Philadelphia, Pennsylvania 19103-2029

Ms. Renee Bartholomew, Chief
Hazardous Waste Compliance and Enforcement
Department of Environmental Protection
Rachel Carson Building
P.O. Box 8763
Harrisburg, PA 17105-8763

October 2, 2014

**RE: RCRA Notice of Violation
Albemarle Corporation
Tyrone, PA 16686
PAD030069140**

Dear Ms. Bartholomew:

The U.S. Environmental Protection Agency Region III is pursuing the issuance of a Notice of Violation (NOV) to Albemarle Corporation in Tyrone, PA pursuant to the Resource Conservation and Recovery Act (RCRA) as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984. The NOV will address violations of RCRA Subtitle C.

I appreciate your cooperation in this matter and look forward to your continued efforts toward a successful enforcement program. Should you have any questions regarding this matter, please contact me at (215) 814-5430 or Ken Cox at (215) 814-3441.

Sincerely,

A handwritten signature in black ink, which appears to read "Carol Amend".

Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

cc: K. Cox, 3LC70 ✓



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

OCT 21 2014

Mr. Randy Andrews
Plant Manager
Albemarle Corporation
2858 Black Vail Road
Tyrone, PA 16686-8100

**Re: Notice of Violation
Compliance Evaluation Inspection
August 14, 2014
EPA ID No. PAD030069140**

Docket Number: R3-14-NOV-RCRA-24

Dear Mr. Andrews:

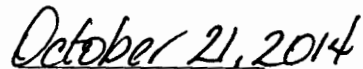
On August 14, 2014, the U.S. Environmental Protection Agency, Region III ("EPA") conducted a Compliance Evaluation Inspection ("CEI") under the Pennsylvania Solid Waste Management Act (SWMA), as amended, 35 P.S. 6018.101 - 6018.1003, and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901, et seq. at your facility. A copy of the inspection report is enclosed. Based on that inspection and/or review of other pertinent information, EPA has determined that the Albemarle Corporation (the Facility) is violating regulations promulgated under the Pennsylvania SWMA and RCRA. As a result of this finding, the Agency is issuing this **Notice of Violation (NOV)**. The specific violation is:

1. The container storing mercury waste outside the laboratory building did not meet the satellite accumulation requirements in 25 PA 262a [40 CFR 262.34(c)] which requires the container be located at or near the point of generation and under the control of the operator.
2. At the time of the inspection the drums of hazardous waste in the storage shed were pinned in a corner by two pallets of solid waste. This configuration, made it impossible to view the dates on the labels as required by 25 PA 262a [40 CFR 262.24(a)(2)].
3. The diaphragm pump used to load tank trucks with hazardous waste was not included in the facility's air emissions monitoring program. Standards for monitoring pumps in light liquid service are found in 25 PA 265a [40 CFR 265.1052].

With regard to the Small Business Regulatory Enforcement and Fairness Act (SBREFA), please see the "Information for Small Businesses" memo, enclosed, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement



Date

Enclosure

cc: K. Cox (3LC70)

T. DiFiore(3LC70)

R. Bartholomew, PADEP (Central Office)

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2. **Fold the printed sheet containing the label at the line so that the entire shipping label is visible.** Place the label on a single side of the package and cover it completely with clear plastic shipping tape. Do not cover any seams or closures on the package with the label. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

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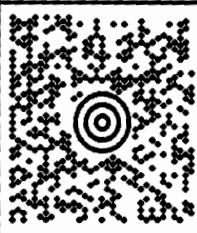
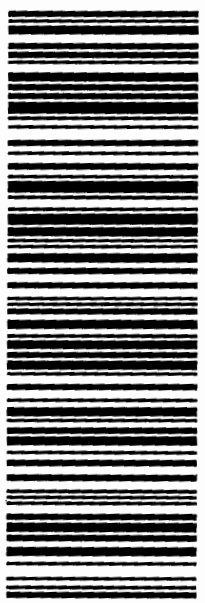

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Your driver will pickup your shipment(s) as usual.

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1 LBS 1 OF 1 KENNETH COX 215-814-3441 US EPA 1650 ARCH ST PHILADELPHIA PA 19103 SHIP TO: MR. RANDY ANDREWS, PLANT MANAGER ALBEMARLE CORPORATION 2858 BLACK VAIL ROAD TYRONE PA 16686	PA 166 9-10  	UPS NEXT DAY AIR 1 TRACKING #: 1Z A43 F71 A2 9407 7591		 BILLING: P/P ADULT SIGNATURE REQUIRED-MIN 21 CS 16.7.04. WNTIE90 57.0A 10/2014
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Cox, Ken

From: Joseph.Stanek@Albemarle.com
Sent: Thursday, August 28, 2014 2:34 PM
To: Cox, Ken
Subject: Albemarle - Tyrone, PA 8/14/2014 Follow up





Hello Ken,

I wanted to follow up on your two questions regarding our monthly leak monitoring posed to me during you 8/14/2014 site inspection.

1. The diaphragm pump used to transfer waste from our waste tanks was not included in our monthly monitoring program. It was added during our most recent monitoring event conducted on 8/19/2014 and 8/20/2014. It consists of 5 points. The monitoring results revealed concentrations less than 5 ppm (via Method 21).
2. Regarding the waste line with two flanges. The two flanges (01258-003 and 01258-004) are visually inspected for evidence of leaks on a weekly basis. No evidence of leaks have been observed this year. Additionally the two flanges are also monitored once per year. The monitoring typically occurs in the fourth quarter of a calendar year. The latest monitoring event revealed the following results: 01258-003 (12/27/2013) 0 ppm 01258-004 (12/27/2013) 8 ppm (via Method 21).

If you have any addition questions, please let me know.

Thanks Joe

Joe Stanek |  **ALBEMARLE**® | Environmental Engineer
2858 Back Vail Road | PO Box 216 | Tyrone, PA 16686 |  814.684.7240 |  814.684.7514
 <mailto:Joseph.Stanek@albemarle.com> | www.albemarle.com